

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.7590 OF 2005

Sovind N.Chamdewar ..Applicant.

V/s.

The State of Maharashtra. ..Respondent.

Mr.A.P.Mundargi i/b N.Mundargi for applicant.

Mr.U.V.Nikam, APP for State.

CORAM: A.M.KHANWILKAR, J

DATE : DECEMBER 5, 2005.

P.C. :

1. Heard counsel for the parties.

2. Perused the documents on record. I see no reason to depart from the conclusion reached by the court below while rejecting anticipatory bail application preferred by the applicant that the signature on the disputed documents do not tally with the signatures on the admitted documents. Counsel for the applicant however, drew my attention to the documents admitting the applicant as partner dated 19th June, 2002 as well as the supplemental deed of partnership dated 27th June, 2002. Signatures of the complainant occurring on the said documents, in my view, do not tally with the admitted signature of the

applicant, which is on the complaint at page 82.

3. To get over this position, counsel for the applicant contends that there is discrepancy even in the signature appearing on complaint as well as admitted signature on the irrevocable Power of Attorney dated 6th January, 1994. Indeed, signatures in both the documents are not identical but there is similarity. I affirm the view taken by the court below that the signatures appearing on the partnership deed and supplementary partnership deed are no way similar to the signature of the complainant on irrevocable Power of Attorney. This opinion for the purpose of considering anticipatory bail, needs no interference.

4. Counsel for the applicant would then contend that the police had already forwarded the disputed and admitted signatures to the handwriting experts for its opinion. Till such information was received, there will be no reason to proceed against the applicant. I find no substance in this submission. The fact that the signatures on the admitted document and disputed document have been sent to the handwriting expert does not preclude the investigating Officer from continuing with the

investigation of the case. Besides, that argument cannot be the basis to grant the prayer for anticipatory bail which otherwise is devoid of merits, as already stated above. Hence this application is rejected.